

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

BASF AGRO B.V., MERIAL LIMITED,
and MERIAL SAS

Plaintiffs,

v.

CIPLA LIMITED, *et al.*,

Defendants, and

VELCERA, INC. and FIDOPHARM, INC.

Intervenors.

Civil Case No. 3:07-cv-00125-CDL

**DECLARATION OF MATTHEW W. HOWELL IN SUPPORT OF
PLAINTIFFS MERIAL LIMITED AND MERIAL SAS'S
EMERGENCY MOTION FOR RECONSIDERATION**

I, Matthew W. Howell, state that:

1. I am an associate at Alston & Bird LLP and represent Merial Limited and Merial SAS (“Merial”) in the above case. I make this declaration on personal knowledge of the facts set forth.
2. I submit this declaration in support of Plaintiffs Merial Limited and Merial SAS’s Emergency Motion for Reconsideration.
3. Attached hereto as Exhibit 1 is a true and correct copy of the Order entered July 18, 2011 as document entry 24 in BASF AGRO v. CIPLA LIMITED, 2011-141, -1472 before the United States Court of Appeals for the Federal Circuit.
4. Attached hereto as Exhibit 2 is a true and correct copy of the Order entered August 17, 2011 as document entry 47 in BASF AGRO v. CIPLA LIMITED, 2011-141, -1472 before the United States Court of Appeals for the Federal Circuit.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted, this 22nd day of August, 2011.

s/ Matthew W. Howell

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